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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	<b>L EW 17,293-2</b>
First Inventor	<b>Carlos R. Morrison</b>
Title	<b>Software for System for Controlling a Magnetically Levitated Rotor</b>
Express Mail Label No.	<b>ER 578848685 US</b>

315342 U.S.PTO  
10/729580

120403

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
- Applicant claims small entity status.  
See 37 CFR 1.27.
- Specification [Total Pages 18]   
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 11]
- Oath or Declaration [Total Sheets 2]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))   
*(for continuation/divisional with Box 18 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**  
Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney *(part of* **when there is an assignee)**  Attorney Declaration
11.  English Translation Document *(if applicable)*
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)of prior application No.: 10/390,256

Prior application information:

Examiner: Ira A. MandelstamArt Unit: 2834

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS** Customer Number:26311OR  Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	<u>Kent N. Stone</u>	Registration No. (Attorney/Agent)	<u>31,883</u>
Signature	<u>Kent N. Stone</u>		
	Date	<u>December 4, 2003</u>	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. ADDRESS: Mail Stop Patent Application, Commissioner for Patents, Washington, DC 20591-0001. If you need assistance in completing this form, please call 1-800-PTO-9199.

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Kent N. Stone

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U.S.PTO

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**770**

Complete if Known

Application Number	
Filing Date	
First Named Inventor	<b>Carlos R. Morrison</b>
Examiner Name	
Art Unit	
Attorney Docket No.	<b>LEW 17,293-2</b>

## METHOD OF PAYMENT (check all that apply)

 Check    Credit card    Money Order    Other    None
 Deposit Account:

Deposit Account Number	<b>14-0116</b>
Deposit Account Name	<b>NASA</b>

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below    Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity   Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001	770	2001 385 Utility filing fee	<b>770</b>
1002	340	2002 170 Design filing fee	
1003	530	2003 265 Plant filing fee	
1004	770	2004 385 Reissue filing fee	
1005	160	2005 80 Provisional filing fee	
SUBTOTAL (1) (\$)		<b>770</b>	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
11	1		-20** = <b>(0)</b>	X <b>(0)</b> = <b>0</b>	
			- 3** = <b>(0)</b>	X <b>(0)</b> = <b>0</b>	
			<b>NONE</b>		<b>0</b>

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202	18	2202 9 Claims in excess of 20
1201	86	2201 43 Independent claims in excess of 3
1203	290	2203 145 Multiple dependent claim, if not paid
1204	86	2204 43 ** Reissue Independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		<b>0</b>

\*\*or number previously paid, if greater; For Reissues, see above

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

**0**

Name (Print/Type)	<b>Kent N. Stone</b>	Registration No. (Attorney/Agent)	<b>31,883</b>	Telephone	<b>(216)433-8855</b>
Signature	<b>Kent N. Stone</b>	Date	<b>December 4, 2003</b>		

(Complete if applicable)

WARNING: Information on this form may be included on this form. Provide credit

This collection of information is required by 37 CFR 1.17 and 1.27. The in USPTO to process an application. Confidentiality is governed by 35 U.S. including gathering, preparing, and submitting the completed application to the amount of time you require to complete this form and/or suggestions to Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexa

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**4** day of **December**, **2003.**

**Kent N. Stone**  
 Kent N. Stone

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Carlos R. Morrison  
Serial No: (TO BE ASSIGNED)  
Filed: HEREWITH

Art Unit: (to be assigned)  
Examiner: (to be assigned)

For: "Software for System for Controlling a Magnetically Levitated Rotor"

\*\*\*\*\*  
**CERTIFICATE OF MAILING UNDER 37 CFR 1.10(a)**

I certify that the attached correspondence, for the filing of a Divisional Application, consisting of:

- PTO SB/05: Utility Patent Application Transmittal
- PTO SB/17: Fee Transmittal
- PTO SB/35 Non-Publication Request
- Preliminary Amendment
- Statement by Attorney that Application Papers are a True Copy of Prior Application (per 37 CFR 1.60)
  - True copy of original specification, claims, and abstract in parent case (18 pages)
  - True copy of Declaration, Oath, and Power of Attorney in parent case
  - Formal Drawings (11 sheets)
  - PTO SB/96: Statement under 37 CFR 3.73(b)
  - Information Disclosure Statement with Prior Art Patents
  - Return Receipt postcard

is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under Mailing Label Number ER 578848685 US in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Mail Stop: Application, Alexandria, VA 22313-1450 on December 4, 2003.



Kent N. Stone  
Attorney of Record  
Registration No. 31,883

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**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Carlos R. Morrison
Title	Software for System for controlling a Magnetically Levitated Rotor
Atty Docket Number	LEW 17,293-2

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 4, 2003

Date

Kent N. Stone

Signature

Kent N. Stone

Typed or printed name

Reg No. 31,883

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patent, Washington, DC 20231.

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Kent N. Stone  
Kent N. Stone

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STATEMENT UNDER 37 CFR 3.73(b)

The United States of America, as represented by the Administrator for  
Applicant/Patent Owner, F NASA (National Aeronautics and Space Administration)

Application No./Patent No.: 10/390,256 Filed/Issue Date: 3/12/2002

Entitled: "System for Controlling a Magnetically Levitated Rotor"

NASA, an agency of the U.S. federal government

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 13885, Frame 781, or for which a copy thereof is attached.

OR

- B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

- [ ] Additional documents in the chain of title are listed on a supplemental sheet.

- [ ] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

December 4, 2003  
Date

Kent N. Stone

Typed or printed name

Kent N. Stone

Signature

Patent Counsel, NASA Glenn Research Center

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. The amount of time you are required to complete this form should be sent to the 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. S

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Kent N. Stone  
Kent N. Stone